

In the United States Court of Federal Claims

No. 17-1998

(Filed: 29 October 2020)

SYSTEM ENERGY RESOURCES, INC., *

COOPERATIVE ENERGY, a *

Mississippi electric cooperative f/k/a *

SOUTH MISSISSIPPI ELECTRIC *

POWER ASSOCIATION, and *

SYSTEM FUELS, INC., *

Plaintiffs, *

v. *

THE UNITED STATES, *

Defendant. *

ORDER

On 26 October 2020, plaintiffs filed a Notice of Acceptance of Offer of Judgment and Request for Entry of Final Judgment Pursuant to RCFC 68. ECF No. 41. Plaintiffs indicate “[p]ursuant to RCFC 68, on October 21, 2020, the Government made an offer of judgment in this action ‘to allow judgment to be entered against defendant in the amount of \$40,500,000.00, with each party to bear its own costs, fees, and expenses,’ and “[o]n October 26, 2020, pursuant to RCFC 68(a), Plaintiffs gave written notice to the Government accepting the aforementioned offer of judgment.” ECF 41 at 1-2. Plaintiffs request “the Clerk enter final judgment in this cause in the amount of \$40,500,000.00, with each party to bear its own costs, fees, and expenses.” *Id.* at 2. Plaintiffs further indicate “[u]pon entry of the requested final judgment, Plaintiffs agree to the dismissal with prejudice of their complaint and first amended complaint.” *Id.* On 27 October 2020, the parties filed a Joint Status Report notifying the Court “[d]efendant has made, and plaintiffs have accepted, an offer of judgment,” and “[o]nce the Court enters the judgment, this matter will be resolved.” ECF No. 42.

The Clerk is accordingly directed to enter judgment, pursuant to Rule 68, plaintiffs recover of and from the United States the amount of \$40,500,000.00, with each party to bear its own costs, fees, and expenses. The Clerk is also directed to enter judgment **DISMISSING** the complaint and first amended complaint with prejudice.

IT IS SO ORDERED.

s/ Ryan T. Holte
RYAN T. HOLTE
Judge